

lawful for any person or persons to build or put up any building or erection whatsoever within Forty Feet of the centre of Church-hill Firebreak to the Northward of Duckworth Street, (except the proposed New Cathedral as before excepted;) within Thirty Feet of the centre of Queen Street, Codner's Cove and Flower Hill Firebreaks, respectively, to the Northward of New Gower Street; and within Thirty Feet of the centres of the Gas Works and River Head Firebreaks to the Northward of Water Street, and within Thirty Feet of the centre of the Street leading from the Ordnance Yard to Queen's Bridge.

Penalty for Building on Streets and Firebreaks.

VIII.—And for the more effectual prevention of Nuisances by the erection of Houses and Buildings within the limits by this Act prescribed for any Road, Street, Firebreak or Cove,—Be it enacted, that it shall not be lawful for any person or persons whomsoever to build, construct or erect, or to excavate or otherwise proceed in the commencement of any building or erection within the lines and boundaries by this Act defined and prescribed as and for the width of any Street, Firebreak or Cove, whether the parties or party owning or claiming an interest in the ground embraced within the limits of any such Street, Firebreak or Cove, shall or shall not have been paid or tendered compensation for the same, anything in the said recited Act to the contrary notwithstanding. And all and every such buildings and erections which from and after the passing of this Act shall be so erected or constructed, or in any manner commenced to be erected or constructed, shall be and be deemed to be public nuisances, and shall be abated accordingly by order of two or more Stipendiary Justices of the Peace for the Central District, who shall, upon complaint of the Supervisor of Streets aforesaid, after hearing the party complained of, or in default of his appearance, on being summoned for that purpose, if such nuisance be proved, make an order for the abatement thereof, and shall furnish such assistance of Constables or others as may be necessary for that purpose; and every person wilfully erecting or attempting to erect any such buildings or erections as last aforesaid, contrary to the provisions of this Act, shall, on proof thereof in a summary manner before any two or more Stipendiary Justices of the Peace for the Central District, forfeit and pay to our Lady the Queen a fine not exceeding Five Pounds, at the discretion of such Justices, which shall be levied by Warrant of Distress under the hands and seals of such Justices, upon the Goods and Chattels of the offender.

Mode of compensating parties for ground taken.

IX.—And whereas it is just and proper that such persons as may have sustained or may sustain any loss of property by reason of the same being taken into the Public Streets, Firebreaks and Coves, in this and the said recited Act mentioned, should be remunerated for the same: Be it therefore enacted, That it shall be lawful for all and every of the proprietors of such portions of ground as have been or may be necessary to be taken for the purpose of making and widening the said Streets, Firebreaks and Coves under the provisions of this and the said recited Act, or the agents of such proprietors and usually acting in their behalf, to meet at such time and place as the Governor or Acting Governor of Newfoundland may for such purpose publicly notify and appoint; and such proprietors or their agents, or the majority of them who shall then and there assemble, shall choose two persons, and the Governor or Acting Governor and Council shall appoint two other persons, and such four persons so chosen and appointed, or the majority of them, shall choose a fifth person; or in the event of such four persons or a majority of them not being enabled to agree in the choice of such fifth person, then it shall be lawful for the Governor or Acting Governor and Council to appoint such fifth person. And the said five persons so chosen and appointed, after taking the oath in the form in the Schedule to this Act annexed, before a Stipendiary Justice of the Peace, shall be Appraisers and shall forthwith proceed to appraise the value of all and every such portions of ground as have been or may be necessary to be taken for the purposes aforesaid, and of the estate or interest of all parties having